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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/713,235	11/16/2000	Takeshi Yamazaki	35.C14929	3238
5514	7590	10/06/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO			CARTER, TIA A	
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NEW YORK, NY 10112			PAPER NUMBER	

2626

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b

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/713,235

Applicant(s)

YAMAZAKI ET AL.

Examiner

Tia A Carter

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamada (US. 4947269).

Regarding claim 1, Yamada discloses an image processing (fig. 12) method comprising:

An input step of sequentially inputting image data corresponding to plural partial areas obtained by dividing one-page image (fig. 12B, col. 11, lines 1-35);

A judgment step of judging whether the input image data corresponds to a margin area or a non-margin area (fig. 17, col. 11, lines 18-35);

A detection step of detecting whether or not the image data corresponding to the non-margin area represents at least a part of a specific image (fig. 12b, col. 9, lines 64-68 and col. 10, lines 1-12);

A control step of controlling printing output of the image data corresponding to the non-margin area, in accordance with the detected result in said detection step(fig. 12a, col. 13, lines 6-12).

Regarding claim 2, Yamada discloses a method according to claim 1, wherein the printing output is performed in the unit of band obtained by dividing one page, and the each partial area corresponds to each band (fig.12b, col. 9, lines 64-68 and lines 1-5).

Regarding claim 3, Yamada discloses a method according to claim 1, wherein when a ratio margin pixels included in the image represented by the input image data is equal to or larger than a predetermined value, said judgment step judges that the input image data corresponds to the margin area (fig. 14a, col. 12, lines 38-45).

Regarding claim 4, Yamada discloses a method according to claim 1, wherein said detection step detects whether or not predetermined electronic watermark information has been embedded in the image data corresponding to the non-margin area (fig. 17, col. 11, lines 21-35).

Regarding claim 5, Yamada discloses a storage medium which computer-readably stores a program including:

An input step of sequentially inputting image data corresponding to plural partial areas obtained by dividing one-page image (fig. 12B, col. 11, lines 1-35);

A judgment step of judging whether the input image data corresponds to a margin area or a non-margin area (fig. 17, col. 11, lines 18-35);

A detection step of detecting whether or not the image data corresponding to the non-margin area represents at least a part of a specific image (fig. 12b, col. 9, lines 64-68 and col. 10, lines 1-12);

A control step of controlling printing output of the image data corresponding to the non-margin area, in accordance with the detected result in said detection step((fig. 12a, col. 13, lines 6-12).

Regarding claim 6, Yamada discloses an image processing apparatus comprising:

An input means for (operation unit A-1) sequentially inputting image data corresponding to plural partial areas obtained by dividing one-page image (fig. 12B, col. 11, lines 1-35);

A judgment means for (sensors 26, 27) judging whether the input image data corresponds to a margin area or a non-margin area (fig. 17, col. 11, lines 18-35);

A detection means for (sensing 307) detecting whether or not the image data corresponding to the non-margin area represents at least a part of a specific image (fig. 12b, col. 9, lines 64-68 and col. 10, lines 1-12);

A control means for (CPU 308) controlling printing output of the image data corresponding to the non-margin area, in accordance with the detected result in said detection step(fig. 12a, col. 13, lines 6-12).

Regarding claim 7, Yamada discloses an image processing method comprising:

An input step of inputting image information according to an image (fig. 12B, col. 11, lines 1-35);

A block selection step of selection, the image information input in said input step, the image information of a block having a predetermined size (fig. 12b, col. 9, lines 60-68 and col. 10, lines 1-9);

A specific image judgment step of judging whether or not the input image corresponds to a specific image having a predetermined feature, in accordance with image information of the block (fig. 17-17b, col. 11, lines 1-35); and

A process step of processing the input image in accordance with judged result in said specific image judgment step (fig. 17b, col. 11, lines 36-49).

Regarding claim 8, Yamada discloses a method according to claim 7, wherein said block selection step selects the block arranged at dispersed positions (fig. 17, col. 11, lines 49-54).

Regarding claim 9, Yamada discloses a method according to claim 7, wherein said block selection step selects the blocks arranged at random positions (fig. 17, col. 11, lines 55-67).

Regarding claim 10, Yamada discloses a method according to claim 7, wherein said block selection step selects the blocks arranged at a certain interval (fig. 17, col. 11, lines 55-67).

Regarding claim 11, Yamada discloses a method according to claim 7, wherein when it is judged in said specific image judgment step that the input image corresponds to the specific image, said process step stops inputting of the image (fig. 12, col. 11, lines 9-20).

Regarding claim 12, Yamada discloses a method according to claim 7, wherein said specific image judgment step judges whether or not the input image corresponds to the specific image, by extracting an electronic watermark of the input image with a software process (fig. 14, col. 12, lines 16-27).

Regarding claim 13, Yamada discloses a method of claim 7, wherein the image is input by a flatbed scanner (fig. 1-1, col. 2, lines 59-67).

Regarding claim 14, Yamada discloses a method according to claim 7, wherein when it is judged in said specific image judgment step that the input image corresponds to the specific image, said process step does not perform a printer driver process to the input image (fig. 17, col. 11, lines 21-35).

Regarding claim 15, Yamada discloses a method according to claim 7, wherein said process step displays the judged result in said specific image judgment step (fig. 17, col. 11, lines 1-17).

Regarding claim 16, Yamada discloses a method according to claim 7, wherein the blocks are selected like checkers (fig. 17, col. 11, lines 1-17).

Regarding claim 17, Yamada discloses a method according to claim 7, wherein said input step inputs the image information of a band area having predetermined size from the image, and said block selection step selects the image information of the block having the predetermined size within the band area (fig 17, col. 11, lines 1-49).

Regarding claim 18, Yamada discloses a storage medium which computer-readably stores program (figs. 1-2, col. 5, lines 8-10) including:

An input step of inputting image information according to an image (fig. 12B, col. 11, lines 1-35);

A block selection step of selection, the image information input in said input step, the image information of a block having a predetermined size (fig. 12b, col. 9, lines 60-68 and col. 10, lines 1-9);

A specific image judgment step of judging whether or not the input image corresponds to a specific image having a predetermined feature, in accordance with image information of the block (fig. 17-17b, col. 11, lines 1-35); and

A process step of processing the input image in accordance with judged result in said specific image judgment step (fig. 17b, col. 11, lines 36-49).

Regarding claim 19, Yamada discloses an image processing apparatus comprising:

An input means for (operation unit A-1) inputting image information according to an image (fig. 12B, col. 11, lines 1-35);

A block selection means for (main scan counter 451) selection, the image information input in said input step, the image information of a block having a predetermined size (fig. 12b, col. 9, lines 60-68 and col. 10, lines 1-9);

A specific image judgment means for (sensing 307) judging whether or not the input image corresponds to a specific image having a predetermined feature, in accordance with image information of the block (fig. 17-17b, col. 11, lines 1-35); and

A process means for (CPU 308) processing the input image in accordance with judged result in said specific image judgment means (fig. 17b, col. 11, lines 36-49).

Regarding claim 20, Yamada discloses an image processing method comprising:

An input step of inputting image information according to an image (fig. 12B, col. 11, lines 1-35);

A judgment step of judging, for each image data corresponding a block area of a predetermined size in the image information input in said input step, whether or not the image data is a part of a specific image (fig. 17-17b, col. 11, lines 1-35)

Wherein said judgment step performs the judgment not to the entire image information input in said input step but to a part of the image information (fig. 17, col. 11, lines 1-20)

Regarding claim 21, Yamada discloses a storage medium which computer-readably stores a program including (figs. 1-2, col. 5, lines 8-10):

An input step of inputting image information according to an image (fig. 12B, col. 11, lines 1-35);

A judgment step of judging, for each image data corresponding a block area of a predetermined size in the image information input in said input step, whether or not the image data is a part of a specific image (fig. 17-17b, col. 11, lines 1-35)

Wherein said judgment step performs the judgment not to the entire image information input in said input step but to a part of the image information (fig. 17, col. 11, lines 1-20).

Regarding claim 22, Yamada discloses an image processing apparatus comprising:
input means for (operation unit A-1) inputting image information according to an image (fig. 12B, col. 11, lines 1-35);

judgment means for (sensing 307) judging, for each image data corresponding a block area of a predetermined size in the image information input in said input step, whether or not the image data is a part of a specific image (fig. 17-17b, col. 11, lines 1-35)

Wherein said judgment means performs the judgment not to the entire image information input in said input means but to a part of the image information (fig. 17, col. 11, lines 1-20)

Regarding claim 23, Yamada discloses an image processing method comprising:

An input step of inputting image information according to an image (fig. 12B, col. 11, lines 1-35);

A judgment step of judging, for each image data corresponding a block area of a predetermined size in the image information input in said input step, whether or not the image data is a part of a specific image (fig. 17-17b, col. 11, lines 1-35)

Wherein said judgment step performs the judgment not to the entire image information input in said input step but to a part of the image information, by periodically judging each block area (fig. 17, col. 11, lines 1-20).

Regarding claim 24, Yamada discloses a storage medium which computer-readably stores a program including (figs. 1-2, col. 5, lines 8-10):

An input step of inputting image information according to an image (fig. 12B, col. 11, lines 1-35);

A judgment step of judging, for each image data corresponding a block area of a predetermined size in the image information input in said input step, whether or not the image data is a part of a specific image (fig. 17-17b, col. 11, lines 1-35)

Wherein said judgment step performs the judgment not to the entire image information input in said input step but to a part of the image information, by periodically judging each block area (fig. 17, col. 11, lines 1-20).

Regarding claim 25, Yamada discloses an image processing apparatus comprising:

An input means for (operation unit A-1) inputting image information according to an image (fig. 12B, col. 11, lines 1-35);

A judgment ^{means for} ~~step~~ of judging (sensing 307), for each image data corresponding a block area of a predetermined size in the image information input in said input ^{means} ~~step~~, whether or not the image data is a part of a specific image (fig. 17-17b, col. 11, lines 1-35)

Wherein said judgment ^{means} ~~step~~ performs the judgment not to the entire image information input in said input ^{means} ~~step~~ but to a part of the image information, by periodically judging each block area (fig. 17, col. 11, lines 1-20).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sugiura et al. (US. 6177934) and Jacobs et al. (US. 5243439) are cited to show related art with respect to image manipulation.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tia A Carter whose telephone number is 703 - 306-5433. The examiner can normally be reached on M-F (7:00-3:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams can be reached on 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


TAC
9/30/04

Tia A Carter
Examiner
Art Unit 2626



**KIMBERLY WILLIAMS
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